

Solicitor, he had lost about 10,000 pounds of tobacco in his own legal practice.³²

Governor Francis Nicholson now applied to the Board of Trade for permission to give him a gratuity of £ 50 and a salary of £ 30 or £ 40 sterling out of the fines and forfeitures. But they replied that, "considering . . . his Majesty has thought fitt to Constitute onely Attorneys Generall and not Sollicitors generall uniformly through all the Coloneys in America Wé do not think it fitt for us to propose to his Majesty the Establishment of any such New Officer in any particular place."³³ On October 22, 1698, Nicholson appointed Dent Attorney General, succeeding Plater, who now became Naval Officer of Patuxent.³⁴

Similarly the office of Examiner and Master in Chancery, created in 1734, lasted for only ten years. Early in the royal period associate justices in Chancery had become known as Masters or Assistants; and in 1715 the Council had settled upon these officials a small fee of 150 pounds of tobacco, or £0.12.6 sterling, for any reference made to them.³⁵ In 1733, however, Governor Samuel Ogle represented to Baltimore the need of a new officer who should reside in Annapolis and take oaths and depositions in chancery cases. This would supplant the former practice of commissioning persons in the counties for this purpose.³⁶

Baltimore at once authorized Ogle, as Chancellor, to appoint an Examiner and Master in Chancery, with all the powers of that officer in England, and, as Governor, to fix the table of his fees. These Ogle established in Council on February 20, 1733/4; and early that October he appointed a kinsman of Lord Baltimore's, Benjamin Young, Sr., to fill the new office.³⁷

Now this whole proceeding ran counter to a determination of the Lower House to prevent erection of new offices and the establishment of new fees save by acts of Assembly. They resolved in 1739 "that the appointing new offices here with fees without the consent of the People of this Province or their Delegates in Assembly is illegal and Oppressive. . . ." ³⁸ When they

³² Cf. Dent's petition, Dec. 12, 1696 (*Ibid.*, XX, 559).

³³ Francis Nicholson to Board of Trade, March 13, 1696/7, and Aug. 20, 1698; Board of Trade to Francis Nicholson, Sept. 2, 1697 (*Ibid.*, XXIII, 211, 498; *Calendar of State Papers, Colonial, 1696-97*, art. 798).

³⁴ *Archives*, XXV, 20.

³⁵ *Ibid.*, XX, 576; XXV, 52, 305.

³⁶ *Ibid.*, XXVIII, 57-58.

³⁷ *Ibid.*, XXVIII, 58-59; XLII, 111.

³⁸ *Ibid.*, XL, 381, 415.